

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

JEFFERY MARX,
(TDCJ-CID #716623)

Petitioner,

vs.

WILLIAM STEPHENS,

Respondent.

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CIVIL ACTION H-14-2889

MEMORANDUM ON DISMISSAL

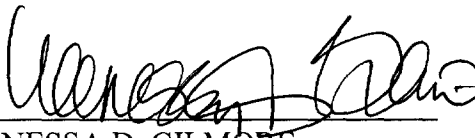
On October 8, 2014, Jeffery Marx filed a petition for federal habeas corpus relief, Civil Action Number 4:14-2868. On October 9, 2014, this court transferred that petition to the Western District of Texas, Austin Division.

On October 10, 2014, Marx filed a letter inquiring about the status of his previously-filed petition. The letter was construed as a petition for a writ of habeas corpus and docketed as a second petition for a writ of habeas corpus under 28 U.S.C. § 2254, and assigned Civil Action Number 4:14-2889. It appears that Marx intended to inquire about pleadings in Civil Action Number 4:14-2868, not file a second petition.

This civil action filed by Jeffery Marx (TDCJ-CID #716623) is DISMISSED without prejudice as improvidently filed. Marx's motion to proceed *in forma pauperis*, (Docket Entry No. 2), is GRANTED. Any remaining pending motions are DENIED as moot.

The Clerk is directed to file a copy of the petition, (Docket Entry No. 1), from the instant case, and docket that pleading as a supplemental pleading in Civil Action Number 4:14-2868.

SIGNED at Houston, Texas, on 10-20, 2014.



VANESSA D. GILMORE
UNITED STATES DISTRICT JUDGE